HUGE FRAUD IN SEWER CLAIMS

CITY SAID TO HAVE BEEN ROBBED OF OVER \$1,000,000.

Kings County Grand Jury Begins to Investigate Alleged Conspiracy in Which Many Lawyers Are Supposed to Be Involved-Officials in the Game Also.

The Kings county Grand Jury began yesterday an investigation into the alleged conspiracy to defraud the city through fraudulent claims for damages caused by sewer floods during the big storms of the last five years. Many of the claims were paid. Assistant Corporation Counsel James O'Neill finally began to look closely into the claims, believing that the city was being defrauded. Some of them he personally investigated, after which he decided to begin criminal proceedings against some of the lawyers and the claimants. District Attorney Clarke took up the matter and last month prepared the case so that it could be laid before the

When a claim is filed for damages against the city it is sent to the bureau of law and adjustment in the Comptroller's office, the head of which is Martin J. McMahon. Mr. McMahon sends out his investigators; who make a report. Then Mr. McMahon approves the claim and sends it to the Corporation Counsel for settlement. It has been discovered that many of the fraudulent claims had been passed upon by these investigators as valid, and as a result the claims were settled by the Corporation Counsel. In all it is believed that claims of this nature aggregate over \$2,000,000 and that the valid claims did not aggregate more than \$200,000.

The Kings county Grand Jury for February was sworn in by Judge Crane in the County Court yesterday. Charles W. Nicholas, a manufacturer, of 406 Clinton avenue, is the foreman. In charging Judge Crane

"Matters will be called to your attention to show you bow the city has been defrauded of vast sums of public money in connection with sewer claims. I want you to give your especial attention to these metters and, as they are probably large in number, I shall ask you, if called upon by the District Attorney, to even sit in the afternoons, for, when justice must act. the main object is to act speedily and effectively.

District Attorney Clarke visited the Grand Jury and when he left Assistant District Attorney Robert H. Elder took charge. He called a number of witnesses who had been subporned to give testimony regarding sewer claims. Most of them were Italians who own property in the flooded districts and who are supposed to have filed claims against the city. Some of them, it is understood, had never made any claim and had never received the money the city had paid to the lawyers on the alleged claims.

A number of lawyers whose names have figured in connection with the alleged fraud have written to District Attorney Clarke asking permission to be called before the Grand Jury. Mr. Clarke does not intend to call any lawyer before the Grand Jury. If indictments follow lawyers will not have the excuse that the indictments are imperfect because those against whom they are directed appeared before the Grand Jury and gave testimony. "We are going to the root of this gigantic

fraud," said Mr. Elder, "and we do not intend to leave any stone unturned." Assistant Corporation Counsel O'Neill has falling into the river.

sent to the District Attorney the papers

seigned by George L. Ferris, Commissioner of they were switched onto another track and onto the transport Maryland, which Deeds, an employee in the office of the law firm. Mr. O'Neill said that this claim had been investigated and the property was found to be a vacant lot that had never

contained a building. Samuel Lane and Isidore Lane filed a claim for damage to personal property at 191 Hamburg avenue. They asked for damages for four storm floods, three in damages for four storm floods, three in 1903 and one in 1904. In each instance the claimants allege that woollen waste to the value of \$600 was damaged by the floods, besides damage to other articles.

Ellen McGanly put in a claim through Lawyer William O. Miles for her property, at 197 Rond street. There were sly claims

at 197 Bond street. There were six claims all told on this property. She demanded a total of \$2,025, which included \$250 for a total of \$2.025, which included \$250 for loss of rent. Mr. O'Neill sent a builder down to examine the property. Part of the claim was for damages to the foundation. The builder reported that the house was simply a shanty without foundation and was built on posts. According to the respectors the property is assessed at \$1.400. sessors the property is assessed at \$1,400 assessors the property is assessed at 1,182.

The claim of Tosano Capuzucca of 12
Carroll street is for eight barrels of wine, a dozen boxes of soda and five barrels of oil, aggregating \$600. This claim is marked valid by Investigator John Shea of the bureau of law and adjustment. Mr. O'Neill and the damages if any, were caused said the damages, if any, were caused by poor pipes, and that there was a good sewer in that location. Vincenzo Molorine of 132 Union street

put in a claim for \$1,807.30 for damages to personal property. The claim is marked valid by Investigator C. A. Gallagher of the bureau of law and adjustment. Mr. the bureau of law and adjustment. O'Neill said an investigation on his part had demonstrated that the claimant asked for damages from two floods, one on June 29 and the other October 9, 1903. Mr. O'Neill said it was strange that Moiorine would put in a claim for damages to personal property on these particular dates, when he did not occupy the premises at the time and did not occupy them until December,

"I have found some queer things in this matter;" said Mr. O'Neill. "I have found that a husband, his wife under her maiden name, a sister and a brother, all Italians. have put in sewer damage claims on the same property. This is an astounding affair. There are over 10,000 claims, and of that number I have charge of about 5,000. I intend to fight this matter to the bitter

The investigation will continue to-day Comptroller Metz is also interested in the investigation and he is hopeful that some indictments will be found against lawyers who, he asserts, have been in the habit of making false claims for sewer overflow damages.
"There are lawyers," Mr. Metz said yes-

"There are lawyers," Mr. Metz said yesterday, "who take up these cases on a percentage basis, and before making their claims against the city they wait until all traces of the alleged damage has disappeared so that the city's inspectors are unable to disprove the claim made am convinced that a great many of these claims are fakes, and that I have grounds for thinking so seems to be clear from the fact that since it has been made known that I intended to appeal to the Grand Jury sixty-eight claims have been with-

Texas Central to Make Extensions.

AUSTIN, Tex., Feb. 5.-The Texas Central Railroad to-day filed an amendment to its charter to provide for extending its line from Stamford, Tex., to the boundary between New Mexico and Texas, about 250 miles; also to build branch lines from Clairette to Strawn, 40 miles, and from Dolen to Nolan, 110 miles. Although the Texas charter only calls for building the road to the New Mexico boundary, it will be continued about fifty miles into that territory to a connection with the Rock Technology of the Police and went to bed a few stones below it.

SALVATION ARMY ROBBED. Two Men Locked Up Charged With Looting

A notice was sent out from the headquarters of the Salvation Army several days ago warning storekeepers who had poor boxes in their places of business to look out for a bogus officer who was going around with a bunch of keys and removing the collections. A youth, wearing a Salva tion Army hat, walked into Leo W. Geisler's drug store, at Amsterdam avenue and 105th street last night, and opening the collection box took out the contents, consisting of \$2.35 in small change. Geisler became suspicious and followed the boy to the street. A short distance from the store a man met the boy. He had a suit case, from which he drew a canvas sack, which jingled. The collection from the drug store was placed in the sack and the wo started south on Amsterdam avenue.

Geisler, who followed them, found Ponceman Eckweiler at 101st street. The cop took the pair back to the drug store and called the Salvation Army headquarters on the telephone. The policeman got a description of the man who, the Salvation Army folks said, had at one time been a the organization and whom they accused of opening the poor boxes. The description fitted the man with the suit case. He said he was Sydney B. Mackey of 109 Orient avenue, Jersey City. The boy with him told Policeman Eckweiler he was Harold Smith of 861/2 Virginia avenue,

Jersey City.

The policeman started with the pair for the West 100th street station. Near 104th street and Amsterdam avenue Mackey suddenly threw the suit case to the street, broke away from Eckweiler and ran west to Riverside Drive. Reaching there he turned south and ran to Ninety-eighth street and was climbing over the wall to the railroad tracks when he was nabbed

the railroad tracks when he was hadden by Policeman Ruth.

Meanwhile Druggist Geisler had held on to Smith and kept watch on the suit case. The two were eventually locked up. The canvas sack in the suit case contained \$8.98. It took the police hearly an hour to count it, as it was mostly in pennies, nickels and direct ckels and dimes

Young Smith weakened when locked up and told, the police say, how they collected the money. Mackey, he said, never opened the boxes, but provided the boy with the cap and the keys.

ENGINE HITS FEDERAL EXPRESS. Sidewipe Collision in Mott Haven Yards Switch Wrongly Set.

The Federal Express of the New York New Haven and Hartford Railroad, which is due at the Mott Haven yards at 1:50 A. M. on its way to Washington from Boston, was struck by a switch engine and a caboose at the foot of Lincoln avenue early yesterday. Engineer John Kenny of 23 East

136th street was in charge of the express. The train ran into the Mott Haven yards on Track 1. A switch engine attached to a caboose in charge of Engineer Arthur Jones was approaching in an opposite direction on Track 2. The express train consisted of an Adams express car, an express horse car with three valuable horses in it, a mail car and six Pullman sleepers. Both locomotives, were under fair head-

way. The Federal express was the first to reach the point where the switch is located. The engine passed the switch all right, but the switch engine and the caboose banged into the express car. The switch engine slid along the side

of the express car, tearing a part of it away. Some of the passengers in the sleeping cars were suddenly awakened and got a good shaking up. There was more or less of a panic among them. Somebody yelled out in one of the cars that the train was

The three express cars were derailed For a while there was the wildest sort o in the case. Several samples of the claims filed against the city for sewer claims are given:

Peter Bauer, for estate of Ludwig Bauer, property at 199 Palmetto street, damage to walls, foundation, plastering, &c., \$400. The law firm of Towns & McCrossin represents the claimant and the papers are seined by George L. Earris Commissioner of their clothes to learn what had happened. The conductor got the train hands together, and when he found out that nobody had been injured he hurried to quiet the passengers. Those who left their berths were told to go back. The six Pullmans were inspected, and when it was found that they had not been damaged they were switched onto another track was waiting at the dock.

The officials of the road made a rigid

investigation yesterday to find out how the switch had been wrongly set. Nobody seemed to be able to explain it. Arthur Jones, the engineer in charge of the switch engine, said that he had no way of knowing that the switch was set wrongly, and even if he had, at the short distance he could not have avoided running

WASHINGTON SOCIETY NOTES. Dinners in Honor of the Vice-President, Sec'y Taft and the Belgian Minister. WASHINGTON, Feb. 5.-The Vice-Presi-

into the express train.

dent and Mrs. Fairbanks were the guests of honor at a dinner this evening with Judge and Mrs. Thomas H. Anderson as hosts. The Secretary of State and Mrs. Root entertained at dinner this evening, their guests including Mrs. Henry F. Dimock of New York, who is their guest. Mr. and Mrs. John Cropper were hosts

at dinner this evening. Their guests of honor were the Belgian Minister and Baroness Moncheur. The other guests were Captain and Mrs. Richardson Clover, Lieutenant Commander and Mrs. Albert L. Key, Mr. and Mrs. Arthur Lee, Mr. and Mrs. Dulany Hunter, Miss Horsey and Mr. Arthur Peters.

Mr. and Mrs. Larse Anderson were hosts at dinner this evening in honor of the Secretary of War and Mrs. Taft. Covers were laid for thirty. Additional guests were invited to the musicale which followed, at which Miss Marie Hall, an English violinist, played a programme of classic works, assisted by Mr. Hamilton Harty, an English pianist. Supper was served at midnight assisted by Mr. Hamilton Harty, an English pianist. Supper was served at midnight after the programme was finished.

Miss Helen Morton, daughter of former Vice-President and Mrs. Levi P. Morton, is the guest of Mr. and Mrs. William Corcoran Eustis at Corcoran House. Mr. and Mrs. Morton will arrive within the next week to take possession of their home for the spring months.

Mr. and Mrs. Clifford Richardson of New York, the latter a half sister of the President, have engaged apartments in the

dent, have engaged apartments in the New Willard Hotel until after the wedding of Miss Roosevelt and Representative Longworth. Mr. and Mrs. John Roosevelt have also engaged apartments there. Major and Miss Ferguson will entertain Miss Sargent of Boston, daughter of Prof. Sar-gent of Harvard University, during the gent of Harvard University, during the week of the wedding.

Miss Olivia Thorndyke of Boston will be the guest this week of Mrs. Nathaniel

Hugh Legare was host this evening at dinner, entertaining a company of sixty guests at the Country Club.

FIRE NEXT DOOR TO BINGHAM. Up in the Air Above the Florence in an Eleventh Floor Printing Office.

Police Commissioner Bingham ran into fire shortly before midnight last night. The Commissioner lives in the Florence, at Eighteenth street and Fourth avenue. The fire was on the eleventh floor of the twelve story Parker building, adjoining

on the north.

It began in the printing shop of Fred C.
Stegeman and spread to the shops of Post & Davis, printers and engravers, on the same floor. The damage was not great.

Commissioner Bingham and his wife to their home just as the

THREE ROUND BOUTS ILLEGAL

COLMA ATHLETIC CLUB PRESI-DENT FINED \$25.

'Club Dues" a Mere Subterfuge, Special Sessions Justices Rule Policeman Tells How He Got In-Kid Griffo's Dues All

Go His Way Members Ebb and Flow. A decision was handed down by the Jusices of the Court of Special Sessions yesterday holding that three round boxing bouts as conducted by certain so-called

athletic clubs in this city are illegal. The opinion was delivered by Presiding Justice McKeon, who said that the payment of one dollar as the door as "club dues was merely a subterfuge and was clearly an vasion of the law which makes it a misdemeanor to charge an admission fee to a boxing bout. The money so paid was not a fee, he held, but the price of admission to a prizefight, which was plainly forbidden

The decision was rendered in a test case The defendants were Kid Fabian, Jim Connor, Harry Cohen (known as Kid Griffo) and William Cullen. The four fighters were arrested in a raid on the Colma Athletic Club, at 158 West 125th street, made last Detective Frank A. Campbell, who was called by Assistant District Attorney Krotel,

testified "I went to the Colma club on the night of January 23. From the street level I ascended a long flight of stairs, at the top of cended a long flight of stairs, at the top of which a crowd was surging around a side door leading to a meeting hall. At a long bench were seated three men who acted as a committee on admissions. An application blank for membership to the Colma Athletic Club was handed to me. I signed it. After attaching my name to the application blank I handed it to the defendant, which are the staff or the term start.

cation blank I handed it to the defendant, William Cullen, who told me that my application was accepted and that I was a member. Handing Cullen a dollar bill, I received a membership card of admission to the club. The membership card specified that I was a member for one week.

"After entering the hall I saw several exhibition bouts which were three round prizefights pure and simple. In two instances the bouts lasted four rounds. The referee, however, gave no decisions."

The witness testified that on a subsequent night the club was raided and the four defendants were arrested. John J. Donnelly, president of the club, was also arrested.

After the prosecution had rested its

arrested.

After the prosecution had rested its case counsel for the defence moved to dismiss the complaint on the ground that the bouts were legal and that the one dollar entrance fee paid by the applicant was in fact a membership fee. The motion restricted.

was denied.

John J. Donnelly, president of the Colma Club, was called on behalf of the defence.

Club, was called on benan of the detence. He said that the club was incorporated and had been in existence for six years, and consisted of 100 members.

"Why, 600 were present on the night of the raid," exclaimed Magistrate Olmsted. "Were not the 600 members?"

"Yes," replied Donnelly, "but their membership has since expired." The witness desirted that the membership earls were admitted that the membership cards were only good for one week, and that it was necessary to be reelected and pay a fee very time a person attended a meeting.

As evidence that the Colma Club was bona fide athletic club, Mr. Donnelly aid that the members owned some ath letic apparatus, and that they occasion-ally gave gymnastic exhibitions.

"Have you a copy of your club rules and bylaws and the minutes of your meet-

ings?" asked the Court.

With some hesitation the witness declared that the club had no rules and kept seems to me," said Justice McKeon. "It seems to me," said Justice McKeon,
that you did not observe even the simplest
formalities performed by a club."
Kid Griffo said that he appeared frequently at numerous clubs in the city and

"Are you a member of all the clubs at which you appear?" queried Mr. Krotel. "I am," answered Griffo. "Do you pay a membership fee in each club?"

The witness smiled at the question and

"You bet I don't. I get paid." fendants guilty.

Donnelly was fined \$25 and sentence was suspended in the case of the other defendants. Donnelly paid the fine.

A jury under direction of Coroner Acri-telli, returned a verdict yesterday that Nathan Rosenberg, known as "Kid Goog," who was killed during a boxing match on January 18 at the George McFadden A. C., came to his death as the result of an acci-

dent.
Leo Sess, his opponent, who delivered the fatal blow, and Referee Hastings were discharged by the Coroner.
Coroner's Physician Weston, who made the autopsy, testified that Rosenberg had died of congestion of the lungs, induced by a blow over the heart.

REFUSED BINGHAM'S OFFER. Dr. Stohlman Says He Declined to Be First Deputy Police Commissioner.

Dr. J. Edward Stohlman, superintendent of the German Hospital, was appointed warden of the City Hospital, Jersey City, early this morning. He was chosen from fifty-nine applicants. After the list had been reduced to three by a process of elmitties the companying three ware avanuable. nation the remaining three were examined. In the course of this examination Dr

Stohlman said that he had refused the appointment to the First Deputy Police Commissionership under Commissioner Bing-Dr. Stohlman succeeds Warden McAndrew, who resigned during a recent investi-

gation.

The investigating committee reported finally last night. The hospital, the report said, had been improperly conducted because of inadequate, inefficient and poorly paid employees and a lack of discipline and executive ability on the part of the warden. This remedy was proposed:

A change in the management and personnel, the employment of a better grade of help, an enlarged staff of employees and a general increase in salaries."

GOVERNORS TURN LAWSON DOWN. Refuse to Help Him Collect Life Insurance Proxies. MINNEAPOLIS, Minn., Feb. 5.-Thomas

W. Lawson, unable to collect proxies enough to control the New York Life and the Mutual Life companies is trying to turn both over to the committee of Governors, chosen by him some time ago.
Gov. Johnson of Minnesota, who was to be chairman of this committee, said to-day

that he was not responsive to the sugges-"Gov. Cummins and myself talked the matter over," said Gov. Johnson to-day, "and agreed that we should not take up such a task as soliciting proxies. He had been willing to serve in any advisory capacity, but we notified him that we could not act under the conditions he stated.

Haight & Freese Case Up in Boston Court. Boston, Feb. 5 .- in the United States 'ircuit Court this afternoon Judge Lowell gave a hearing on the petition of Arthur D. Truax, receiver of the brokerage firm of Haight & Freese, in New York, that the assets of the concern in Massachusett be turned over to him in order that the affairs of the company may be wound up and the assets distributed among the creditors. Judge Lowell put the case over for

Dinner to The McManus. The Business Men's Association of the Fif-

eenth Assembly district is going to give a dinner at Shanley's to-night to The McManus and the committee has invited among others Fire Commissioner O'Brien, Dock Commissioner Bensel, Congressman Sullivan, Judge Gildersleeve, Commissioner Ellison, County Clerk Dooling, Corporation Counsel Delany, Commissioner Darlington, the Rev. Father Chidwick, Senator Grady, Judge Foster and Justice McCall.

SWEDES, HAVE A GALA NIGHT.

Dinner and Parade for Nordensk fold. Nephew of Discoverer of Northeast Passage

The Swedish element of New York turned out to say good-by to Dr. Otto Nordenskjold, the Antarctic explorer, at the Savoy last night. It took 4,000 Swedes, a torchlight procession that filled the Grand Circle with dancing flame points, and songs and speeches without number for them all to tell the explorer just how proud they were and how well they wished him.

Dr. Nordenskjöld has been travelling in this country for the last five weeks lecturing before scientific societies on the Antarctic Continent and other topics. He is a member of most of the geographical societies in the world and has been decorated many To-day he lectures at the Smithsonian Institution, Washington, and he leaves on Thursday on La Gascogne.

A dinner started the farewell celebration last night. It was given by the American Society of Swedish Engineers, fifty of whom were present. The guest of honor sat at the right of President Gust Pres Wren of Boston, who acted as toastmaster. A. E. Johnson, the Swedish Consul, sat next to the explorer.

Mr. Wren in introducing the guest of the evening referred to his achievements as an explorer, which were second only, said, to those of his famous uncle, the Baron Nordenskjöla, who, in 1878, discov-ered the northeast passage around the continent of Asia.

Dr. Nordenskjöld rose to reply. He is just below the medium height, with well marked features, smiling brown eyes and a marked features, smining brown eyes and a sparse beard. Against his collar shone the red ribbon of the Order of Vasa and on his coat the North Star of Sweden glittered. He is a commander of both orders.

His achievements in the South Polar Continent, Dr. Nordenskjöld said, had been only those of one who goes before to map out the way for the really great workers. out the way for the really great workers. He dwelt on the quiet perseverance and courage of the men who had accompanied him to Antarctica. These were the same qualities that had made the northern peoples such successful pioneers of civilization in this country, he said. They were at the bot-

tom of their wellbeing and the general esti-mation in which they are held here. Consul Johnson announced that by order of King Oscar he presented the Order of of Aing Oscar he presented the Order of Vasa to Mr. Wren, president of the society, and C. J. Mellin, chief engineer of the American Locomotive Works at Schenectady.

Dr. L. H. Beck of Upsala College, New Jersey, in his address said: "The one peculiar circumstance connected with the Swedes in America, is their readiness to Swedes in America is their readiness to amalgamate with the Americans around them. This they do more quickly than any other nationality. It is because, owing to a fairly general distribution throughout the country, we cannot keep up our language among ourselves and our children.

"The German can keep up his speech, since it is spoken in almost every corner of the city and the land. But the Swede, by his comparative isolation and the diffi-culties of his speech, is thrown at once upon the American speech and into the American community

By this time 4,000 men, representing nearly the entire strength of the United Swedish Societies of New York, had gathered at Maennerchor Hall, Third avenue and Fifty-With 1,000 torches glittering in the frosty air they marched over to Park avenue, up to Sixty-sixth street, and then crossing came down Fifth avenue to

then crossing came down Fifth avenue to the hotel.

Dr. Nordenskjöld reviewed the firebearers from the balcony. After he had spoken his thanks, the marchers gave him three times three rousing cheers, and then the Lyran and the Swedish Glee Club, two singing societies, sang "Vort Land" ("Our Country"), the Swedish national anthem; also "Hôr oss, Svea" ("Hear Us, Svea"), the "Hail Columbia" of Sweden. As they dispersed amid more cheers, Dr. Nordenskjöld returned to drink his farewells to his American compatriots in steaming his American compatriots in steaming

MAY GO AFTER MISPLACED FUNDS Pennsylvania Legislature Puts Insurance Rakeoff Up to the Governor.

HARRISBURG, Pa., Feb. 5 .- The legislative committee inquiring into the methods of the Insurance Department of Pennsyl-"You bet I don't. I get paid."
When the evidence was all in the Justices held a short consultation. Justice McKeon announced that the Court found the defendants guilty.

vania to-night decided to recommend to the Legislature that the testimony relating to the Legislature that the testimony relating to the shipping law compelling to the acceptance of fees of the Actuary skippers of coastwise sailing vessels to skippers of coastwise sailing vessels to skippers of coastwise sailing vessels to the feedback of the shipping law compelling to the acceptance of fees of the Actuary skippers of coastwise sailing vessels to the feedback of the shipping law compelling to the acceptance of fees of the Actuary skippers of coastwise sailing vessels. by former Insurance Commissioners Luper, Lambert and Durham be transmitted to the Governor and the Attorney-General for such action as they may deem advisable. It can be stated authoritatively that the committee, which is composed almost entirely of lawyers, is practically unanimous in the opinion that prosecutions are fully warranted by the testimony.

The air to-night is full of rumors of addi-

tional investigation. Resolutions have been prepared for committees to probe the State Treasury, the Auditor General's Departnent and the office of the Secretary of the These resolutions recite that Auditor-

General Snyder, in his testimony, said there had not been an audit of the State there had not been an audit of the State departments in twenty years.

Before the committee to-day Israel G. Stone, a brother of former Gov. W. A. Stone, testified that he had drawn more than \$800 from the Insurance Department payroll. Asked what service he had performed, he answered "I didn't do nothing."

He said he had obtained his appointment ostensibly as a special examiner at the

ostensibly as a special examiner at the hands of Former Insurance Commissioner Israel W. Durham, through the influence of his brother, the ex-Governor. He had asked repeatedly for work after his name had been placed on the payroll. No at-tention was paid to his letters, but his salary kept coming to him all the same. Stone is a Tioga county farmer.

KNIGHTS OF COLUMBUS BALL. Great Crowd of Dancers Fills Madison Square Garden.

How to put 5,000 couples on the floor at once was the difficult problem that was presented to the managers of the Knights of Columbus ball at Madison Square Garden last night. At last they threw up their hands and left the crowd to adjust matters as

best they could. When dancing finally began, the floor was a human whirlpool until the whistle blew for the breakaway. The Garden was tastefully decorated in

the Papal colors, gold and white. Archbishop Farley, Bishop Cusack, Bishop McDonnell, Bishop Colton and a number of other dignitaries of the Roman Catholic hurch were present.

Mayor Mark A. Fagan of Jersey City, with his staff of city officers, occupied one of the boxes adjoining that occupied by Charles F. Murphy. Mayor McClellan was not there, but was represented by President McGowan of the Board of Aldermen.

REBATE TRIALS IN ALBANY. New York Central and Delaware and Hudson Will Enter Pleas Next Week.

UTICA, Feb. 5 .- United States Attorney Curtiss will move for trial at the Albany term of the United States Court the criminal business put over from Utica in January The attorneys for the New York Central and Hudson River Railroad Company and | Express Wagons Collide; Man and Horses the Delaware and Hudson Railroad Company, both of which corporations were recently indicted in Utica on charges of violating the United States statutes forbidding the granting of rebates, will enter pleas next week. A Grand Jury will sit in conjection with the Albany term.

Bridge Crowders Pinched.

Police Commissioner Bingham's "hog squad" arrested four young men last evening on a charge of pushing and crowding other persons on the platform at the Man hattan end of the Brooklyn Bridge. The men were William H. Greene of 604 Warren street, Brooklyn; Michael Angelo and Tony Lamot of 144 Twenty-second street, Brookstreet. Brooklyn; Michael Angelo and Tony nue, where the horses Lamot of 144 Twenty-second street, Brooklyn, and Louis Howe of 10 Joralemon street. In and badly injured.

POLITICAL BILL DEPEATED.

IT CAME UP IN THE SENATE FOR THIRD READING.

Was Designed to Give Republicans Control of Niagara Falls Hoard of Aldermen -Bill Taxing Property of Non-Residents Advanced in the Assembly.

ALIANY, Feb. 5 .- Senator L'Hommedieu has a novel piece of political legislation. It made its appearance on the third reading calendar of the Senate to-night, and it was defeated by a vote of ayes ?4, noes 18. Those who voted for the bill were all Republicans, while Senators Cooper, Drescher, Elsberg and Saxe voted with the Democrats against it. The Democrats now have control of the Board of Aldermen in the city of Niagara Falls. The bill was designed to give the Republicans control of the board by providing that the Aldermen shall be elected at large instead of by wards. Assemblymen Eckman and Campbell,

representatives of the Municipal Ownership League, to-night made an attack on the New York city Board of Rapid Transit Commissioners and August Beimont and Thomas F. Ryan. These men were defended by "Paradise Park Jimmy" Oliver, who demanded to know if any one could show where either of them ever made a dishonest dollar.

The occasion was Mr. Eckman's resolution calling on the Rapid Transit Commissioners not to award any more contracts until the Legislature had had a chance to act on the Elsberg Rapid Transit Commission pending in the Legislature. Mr. Campbell referred to Mr. Belmont as the agent of Rothschild. After "Paradise Park Jimmy" had stopped speaking Mr. Campbell demanded:

manded:
"Are you sparring for time in the interests of your friend, Mr. Morgan?"
Mr. Oliver was so surprised that he angrily moved that the resolution be referred to the Committee on Railroads, and it was Senator Marks introduced a proposed

constitutional amendment permitting trial justices to have one or two additional jurors sit in important cases in order to take the place of any of the twelve regular jurors who may become ill during a trial and thus prevent the necessity for a new Senator Gardner introduced a bill which

Senator Gardner introduced a bill which, it is said, is aimed to block the plan of exComptroller Grout to establish the Brook University on the east side lands adjacent to Prospect Park in Brooklyn, by providing that the city shall establish botanical gardens there under the law of 1897. The city is authorized to turn the property over to the Brooklyn Institute when that body has secured \$50,000 by private subscription. The Park Commissioner is to construct the plant houses and to convey them to the institute.

Assemblyman Stanley's bill taxing the personal property of non-residents was

personal property of non-residents was advanced to a third reading in the Assembly to-night. After that it was recom-mitted to the Taxation Committee for a

mitted to the laxation committed to the laxa More resolutions made their appearance in the Assembly to-night. Assemblyman Shanahan introduced one authorizing the

Shanahan introduced one authorizing the Judiciary Committee to investigate the legality of all charters of power companies getting power from Niagara River. It went over under the rules.

Assemblyman Foelker presented one that asks the Attorney-General to report within ten days to the Assembly what steps he has taken to follow the Governor's recommendation in his annual message recommendation in his annual message in regard to investigating the grants to

corporations to make use of the Niagara River. It also went over. Assemblyman Palmer had one which said that no more Justices were needed in the up State districts if the Justices elected from these districts would remain at home instead of seeking assignments Assemblyman Campnell, who once was

take on a pilot before entering a port below the Virginia capes. It was referred to the Commerce and Navigation Committee. Senator Hill introduced a similar resolution. Assemblyman Storey introduced a resolution providing for a legislative investigation of all public service corporations New York city.
Believing that the New York city Aldermen are underpaid for the services they render to the public, Assemblyman Storey introduced a bill increasing their salaries

from \$1,000 to \$2,000 a year.

Assemblyman Shanahan introduced a bill which seeks to meet the decision of the Court which seeks to meet the decision of the Coulc' of Appeals in regard to leased railroads granting transfers. The bill provides that the company that leases another railroad system must grant a transfer over each and every line operated by it.

Assemblyman Agnew introduced a bill introduced a bill of the control of the co

giving a private water corporation the same right to go before the State Water Commission for the purpose of enlarging and increasing its holdings as a municipal ity has under the law of last year. The bill also provides that the State Water Com-missioners shall each have a salary of \$5,000

SAY CIGARETTES KILLED HIM. Family of John J. Van Nostrand Deny Report of Police.

John J. Van Nostrand died at his home, 192 Columbia Heights, Brooklyn, yesterday morning. The police of the Adams street station reported that his death was due to excessive cigarette smoking. The family deny this report. Mr. Van Nostrand was 29 years old, and lived with his mother, Mrs. Louisa D. Van Nostrand. His father was the late John Van Nostrand, well known in banking circles. Young Mr. Van Nostrand was a graduate of Cornell University. He was a member of the Hamilton and Crescent Athletic clubs of Brooklyn, the Dyker Meadow Golf Club and the Union League Club of Manhattan. He was a horseman and an athlete. For several years he had been the secretary and treasurer of the Si-mons Transportation Company of William

street, Manhattan.

Mr. Van Nostrand had been suffering from grip for several weeks and had been under the care of Dr. J. W. Parish. A week ago Dr. Parish ceased calling on Mr. Van Nostrand, as he had about recovered. On Sunday he took an automobile ride and on his return compained of being founded. tigued. Yesterday morning his mother found him in bed in an unconscious condition. He was dead when the doctor arrived.

At the Coroner's office the cause of death is given as heart failure. The police say that Dr. Parish gave excessive cigarette smoking as the cause of death. Dr. Parish could not be seen last night, but the Van Nostrand family say that the police misunderstood what the physician had said.

SMASHUP IN TRANSVERSE ROAD. Badly Hurt Long Run.

A team of horses drawing an express wagon owned by a small firm on the West Side ran into an Adams Express wagon of the transverse road in the middle of Central Park vesterday afternoon. Wagons. horses and harness were wrecked. Patrick Bannon, the Adams Express driver, was taken to the hospital with a fractured hip and bruises all over his body.

The private express team had left its driver at Central Park West and Sixtyfifth street. After the collision it kept on through the park, down Fifth avenue and across Sixty-third street to Lexington ave-nue, where the horses stopped exhausted. The other horses were knocked down horses were knocked down



He can't put aside the young nen's suit sale.

Every mixture suit we have in the young men's sizes, 32 to 35 chest, has been marked down to \$10.

Most all the blue and black cheviots in those sizes were included in the sale along with some 300 Summer serges. A considerable majority on

\$10 now. ROGERS, PEET & COMPANY.

sale were from \$18 to \$25.

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For boys who are good at chasing the nimble dollar.

Every mixture suit we have in the boys' long trouser sizes, 29 to 31 chest (13, 14 and 15 years), has been marked down to \$5.

Most all the blue and black cheviot suits were embraced in the reduction.

All these boys' long trouser suits were from \$12 to \$18. \$5 now.

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WEALTHY WOMAN A SUICIDE. kisses Husband and Children Good-by

Then Shoots Herself. St. Lo uis, Feb. 5-Mrs. Minerva Primm McNair, wife of Lilburn C. McNair, a millionaire, and president of the McNair-Harris Realty Company, shot herself through the left breast in her home to-day and died an hour later. Mental derangement, resulting from six

months illness, is said to have caused Mrs. McNair's act. She left no note or message. A few minutes before going to her room ith the evident intention of ending her life, Mrs. McNair kissed her children goodby and sent them to school. She also her husband an affectionate farewell when her husband an affectionate farewell when he left for his office. She seemed in good spirits and talked at the breakfast table with her husband of a trip to New York State, planned to benefit her health.

Mrs. McNair was 34 years old. She leaves two daughters. She was prominent in society and was the champion woman golfer of the West.

WANTED BENDER REMOVED. Civil Service Reform Association's Letter to the Governor.

Good Government in its February number will publish the letter which the New York Civil Service Reform Association ent to Gov. Higgins on November 10 last suggesting that he has power to remove Harry H. Bender, Fiscal Supervisor of State Charities, on the charge of collecting political assessments in his office. Bender disputed the power of the State Civil Service Commission to investigate the charges, and that contention is before the courts on

appeal.

But the association suggested in the letter that to continue Bender in office while he obstructed an inquiry into his official acts would "not only be a disgrace to the administration but also an object lesson to employees in the State service of the impunity with which high officials may violate law to subserve party purposes."

Good Government adds that so far as is known the Governor has taken no action. known the Governor has taken no action. Harriman Interests Get Mexico City Bank. MEXICO CITY, Feb. 5 .- Epes Randolph, representative of the Harriman railroad interests in the Southwest and Mexico, has acquired control of the Mercantile Bank of

STEVENS INSTITUTE DINNER. President Humphreys Opposed to Student Government Library Needs.

The annual midwinter dinner of the Stevens Institute Alumni took place at the Hotel Astor last night. About 200 graduates and guests were present. Among them were President A. C. Humphreys of Stevens Institute, Arthur Glasgow of London, Howard E. White, Hosea Webster, William Baird, George Roberts, H. Torrance, George F. Kuntz and H. S. Mortons son of the late president of the institute. Music was furnished by a Hungarian band and by the Stevens Glee Club.

Arthur Glasgow, who was toastmaster, proposed a silent toast to the deceased president of the institute. Henry Morton, which was drunk standing. President Humphreys spoke of the li-

brary of the institute, which he said was in bad shape, and announced a gift of \$1,000 which he had received from William H. Bristol. This sum was to be used for what was to be known as the Patent Office Library Fund. He also spoke of the new chemical laboratory which is being built for the institute, and said that he hoped it would be ready for use in the spring. He declared himself against student

government. Young men just coming from school can't govern themselves, he said. It's absurd to suppose they can. To give them four years of freedom and then make them get their noses down to the grindstone again is brutal. Howard E. White spoke of the relation of engineers and lawyers, saying that a synthesis of the theory of the one and the practise of the other was necessary.

Other speakers were Hosea Webster and William Baird.

Mystery in Bank's Closing.

CHICAGO, Feb. 5 .- For reasons not yet apparent the Citizens' Savings Bank of Evanston to-day suspended business. The doors were closed early and an announcement posted that depositors would not be paid pending an adjustment of the bank's affairs, which have become entangled owing to the illness of President John C.

Terhune.
The closing of the bank caused much ex-The closing of the bank caused much excitement among the depositors, many of whom are working people. A crowd collected and extra police were put on duty. There were many rumors to-day that the bank was not on a firm footing, but Cyrus Hern, attorney for Mr. Terhune, declared that the assets exceed the liabilities and that the depositors will lose nothing. this city, and the capital of the institution has been increased from \$100,000 to \$500,000. A number of branch banks of this institution will be established in the principal cities of

Milwaukee a Mate -MeGo Joe Gans v Milwaukee v feated Buddy

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